

REMARKS

This Response is submitted in reply to the Office Action dated July 11, 2008. Claims 1, 22, 34 and 52 have been amended. No new matter was added by these amendments. A Request for Continued Examination and Supplemental Information Disclosure Statement are submitted with this Response. Please charge Deposit Account No. 02-1818 for the Request for Continued Examination and any other amounts due.

The Office Action rejected Claims 1 to 39 and 42 to 59 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,511,377 to Weiss ("Weiss") in view of United States Patent No. 6,168,522 to Walker et al. ("Walker") and further in view of United States Patent No. 5,919,091 to Bell et al. ("Bell"). Applicants respectfully disagree with this rejection. Additionally, certain of the claims have been amended to expedite prosecution.

Weiss discloses a cashless gaming system. A player establishes an electronic account at an enrollment station by selecting a personal identification number (PIN), depositing funds into an electronic account and receiving a player card. Each gaming machine in Weiss includes a card reader assembly as seen in Figs. 2 and 3 of Weiss. The card reader assembly includes a card reader, a keypad and a display. The player inserts their player card into the card reader assembly. The display then prompts the player to enter their PIN into the keypad. The gaming account system verifies the PIN and the display shows the player an option menu. The option menu includes options which if selected, enable the player to: review their electronic account balance; download a certain amount of funds to the gaming machine from their electronic account; and upload a certain amount of credits from the gaming machine to their electronic account. Fig. 8 of Weiss illustrates the player's options (in one embodiment of the Weiss gaming machine) when credits remain on the gaming machine credit meter. As illustrated in Fig. 8, the player's options are to:

- (a) transfer the credits to their electronic account through the card reader keypad by entering their PIN;

- (b) remove their card without transferring credits to their electronic account; and
- (c) abandon their card.

In regard to Fig. 8 of Weiss, if a player removes their card without transferring credits to their electronic account, the credits remaining on the gaming machine are subject to play independent of the removal of the card. In other words, in this embodiment of the Weiss gaming machine, the way for a player to retain credits remaining on the gaming machine, in accordance with the cashless system, is to enter their PIN and transfer credits to their account.

If the player does ultimately wish to redeem their electronic account balance, the player may visit a redemption apparatus. The physically separate redemption apparatus (not the gaming machine) includes a touch screen interface enabling a player to access the player's account balance and redeem the player's balance for cash and/or vouchers with their player card. (See Weiss, Figs. 4 and 4A; column 19, line 59 to column 20, line 38).

Page 4 of the Office Action stated that:

[s]ince the applicant is not satisfied with the description of the payout hopper, Walker has been introduced to teach that it would have been obvious to modify Weiss with a hopper controller to control the amount of currency to be received by or dispensed from the hopper as well as a touch screen or any other suitable data input means that allows the player to request an amount to be dispensed from the slot machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Weiss with a hopper controller and means to allows the player to request an amount to be dispensed from the slot machine to provide control over the amount of currency to be received by or dispensed from the hopper. (Office Action, pages 3 to 4).

The Office Action apparently reasons that Walker discloses a second payout option by disclosing a hopper. One of ordinary skill in the art would NOT have combined Weiss with Walker. As discussed in the previous Response, Weiss is directed to a cashless gaming system and did not identify a need to provide for the ability to "provide control over the amount of currency to be received by or dispensed from the hopper" because there is absolutely no use for the hopper in the cashless system of Weiss. Thus, one of

ordinary skill in the art would have absolutely no reason to use Walker to modify Weiss and thus destroy the overall intended purpose of Weiss.

The Office Action then admits that Weiss does not disclose a cashout menu simultaneously displaying at least two different cashout options, but introduced Bell as “teach[ing] a redemption apparatus and gaming machine rolled into one machine.” The Office Action further stated: “[i]t would have been obvious to one of ordinary skill in the art to modify Weiss by combining the two devices together to save floor space to make more room for more slot machines which increases casino profits.”

Bell discloses a gaming machine having a game mode and a credit mode. As illustrated in Fig. 12 of Bell (provided below for convenience), in the game mode the display 54 displays a game. As illustrated in Fig. 13 of Bell (provided below for convenience), when the gaming machine is in the credit mode entered by inserting an identification card 30 into the reader 28, the display 54 acts as the display 26 and the keypad 34 of an ATM type terminal, enabling a player to transfer funds to the gaming machine from an account set up with the casino.

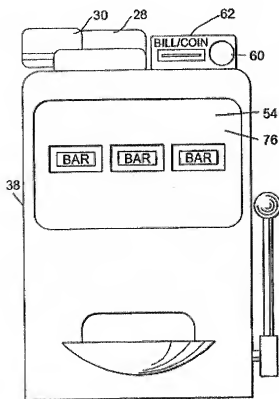


Fig. 12

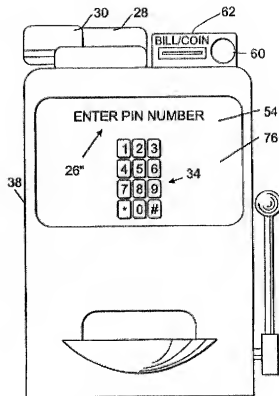


Fig. 13

The "Response to Arguments" section of the Office Action stated: "[r]egarding the term 'simultaneously displaying', Weiss discloses (fig. 4) two different cashout options, 'yes and no.' The term option should be clearly defined in the claim." Further, the Office Action stated: "[r]egarding the redemption apparatus argument, the gaming device of the claimed invention need only enable a player to cashout. Thus, when the player returns funds to the account (3:26), the player is then enabled to cashout at the redemption apparatus." To expedite prosecution, certain of the claims have been amended for clarity regarding this language.

The combination of Weiss, Walker and Bell clearly does not disclose a cashout menu or a memory device as now claimed. Amended Claim 1, for example, includes a memory device storing a plurality of instructions, which when executed by a processor, cause the processor to operate with a display device and an input device to: if the player selects the cashout selector, display a cashout menu, the cashout menu

simultaneously displaying and enabling a player to select at least two different cashout options including: a first cashout option including a payout to the player of a first amount of a certain credit total in a first payout form, and a second cashout option including a transfer of a second amount of the certain credit total to a casino account, wherein the first payout form is different than the casino account and the first and second amounts are both deducted from the certain credit total; if the player selects the first cashout option, provide the player the first amount in the first payout form; and if the player selects the second cashout option, transfer the second amount to the casino account. The combination of Weiss, Walker and Bell also does not disclose a cashout menu as now claimed in Claims 22, 34 and 52.

The above illustrative claim amendments clarify that the "cashout options" are simultaneously displayed by the cashout menu. The "yes and no" of Fig. 4 in Weiss clearly do not anticipate the clarified first and second cashout options.

Walker also does not disclose a cashout menu including such cashout options. In fact, Walker teaches away from simultaneously offering a payout in two different forms, stating: "[a]lternatively, the gaming device may transfer the requested amount to an account, such as a credit card account or an account maintained with the casino." (Column 3, lines 12 to 14).

Further, Bell clearly does not disclose a cashout menu including such cashout options. Fig. 13 of Bell simply discloses a screen on which a player may enter a pin number. Accordingly, for at least these reasons, Applicants respectfully submit that amended independent Claims 1, 22, 34, 52 and the claims depending therefrom are patentable over the combination of Weiss, Walker and Bell and in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Adam H. Masia
Reg. No. 35,602
Cust. No. 24573
(312) 807-4284

Dated: October 13, 2008